

## DEVELOPMENT PLANNING

# Further Submission Form

**Further submissions close on Monday, 21 November 2022 at 5pm.**

**I/we are further submitting on:**

☐ Proposed District Plan    ☐ Variation 1: Housing Intensification    ☒ Variation 2: Financial Contributions

*Please use a separate form for each consultation.*

*Clause 8 of Schedule 1, Resource Management Act 1991*

**To: Waimakariri District Council**

### Further submitter details

Name of further submitter: Luke Hinchey

Organisation name and contact (if representing a group or organisation): Ryman Healthcare Limited

Postal address/Address for service: c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206, Auckland

Postcode: 1140

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Phone: +64 9 357 2709

**Only certain persons can make a further submission. Please select the option that applies to you.**

I am:

- ☐ a person representing a relevant aspect of the public interest
- ☒ a person who has an interest in the proposal that is greater than the interest the general public has
- ☐ the local authority for the relevant area

Please explain why you come within the category selected above:

Ryman represents a relevant aspect of the public interest and has an interest in Variation 2 greater than the general public for a number of reasons, including (without limitation):

- a. Ryman has a significant interest in how the Proposed Waimakariri District Plan, including the amendments proposed by Variation 2, provides for retirement village and aged care provision in the Waimakariri District, given the existing and predicted demand for such accommodation in the region.
- b. Ryman wishes to ensure that the Proposed Waimakariri District Plan, and the amendments proposed by Variation 2, appropriately provide for retirement villages and all related activities so that the Plan enables proportionate, flexible, efficient and effective consenting processes.
- c. Retirement villages make a substantial contribution to housing and healthcare for older people in the region, providing for the social and economic wellbeing of communities. Ryman's ability to provide villages that contribute to the social and economic wellbeing of the Waimakariri District will depend on the reasonableness and appropriateness of the Proposed Waimakariri District Plan provisions, including amendments proposed by Variation 2.
- d. Given Ryman's history, operations and current activities, Ryman has specialist experience and expertise relevant to determining the merits of the Proposed Waimakariri District Plan provisions, including amendments proposed by Variation 2.

Ryman made a submission on Variation 2.

## Hearing options

I wish to be heard in support of my further submission?

☒

Yes

☐

No

If others make a similar further submission I will consider presenting a joint case with them at a hearing

☒

Yes

☐ No

Signature: \_\_\_\_\_

(of person making submission or person authorised to make decision on behalf)

Date: 21/11/2022

**PLEASE NOTE** - A signature is not required if you submit this form electronically. By entering your name in the box below you are giving your authority for this application to proceed.



[waimakariri.govt.nz](http://waimakariri.govt.nz)

Name of person making further submission: Ryman Healthcare Limited

This further submission is in relation to the <u>original submission</u> of: <i>Enter the details of the original submitter:</i> <ul style="list-style-type: none"> <li>• name, address or email; and</li> <li>• submission number (and point(s), if applicable)</li> </ul>	The particular parts of the original submission I/we support /oppose are:	My/our position on the original submission is: <i>Support or oppose</i>	The reasons for my/our support/ opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Give precise details of why you wish to allow/disallow (in full or in part) to indicate the decision you want Council to make
Ashley Industrial Services Ltd – Ken Fletcher 29.1-29.6	The submitter supports and seeks to retain FC-O1, FC-O2, FC-P1, FC-P2, FC-R1, FC-R2 as notified.	Oppose.	Ryman opposes the relief sought in this submission as it has the potential to affect the consenting of retirement villages. Ryman opposes any rules relating to financial contributions that allow ‘double-dipping’ with Council’s Development Contributions Policy, does not provide clarity as to contributions payable and that do not take into account retirement villages’ substantially lower demand profile compared to standard residential developments.	Disallow the submission.	See reasoning under column 4.
Mark Allan on behalf of Bellgrove Rangiora Ltd 66.4	The submitter seeks to amend FC-P1 to clarify that financial contributions are only required where there is an adverse environmental effect on existing infrastructure requiring capacity increases, modifications, or upgrades that outside the scope of the scheduled maintenance/replacement programme that is not also covered by a development contribution:  "Except where already provided for by the <u>current WDC Development Contributions Policy</u> , financial contributions are required where housing intensification, subdivision, and development or both have an adverse environmental effect on existing infrastructure, which requires capacity increases, upgrades or other modification to the infrastructure ahead of the scheduled maintenance/replacement program, or outside the scope of scheduled maintenance/replacement programme."	Support in part.	Ryman supports the relief sought in the submission as it will prevent ‘double dipping’ with Council’s Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.	Allow submission subject to the relief sought in Ryman’s primary submission.	See reasoning under column 4.

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Mark Allan on behalf of Bellgrove Rangiora Ltd 66.7	<p>The submitter seeks to amend FC-S1 to ensure that Financial Contribution Cost Assessments will first exclude all reasonable infrastructure costs that have already been accounted for by the current Waimakariri District Council development contributions policy as follows:</p> <p>The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies that either:</p> <p><u>a. all reasonable infrastructure costs incurred by the development have already been accounted for by the current Waimakariri District Council Development Contributions Policy and no further assessment is required; or that:</u></p> <p><u>b. all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements)</u></p>	Support in part.	Ryman supports the relief sought in this submission as it will prevent 'double dipping' with Council's Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.	Allow submission subject to the relief sought in Ryman's primary submission.	See reasoning under column 4.
Mark Allan on behalf of Bellgrove Rangiora Ltd 66.11	<p>The submitter seeks that FC-S2 is amended to be made more explicit that if the infrastructure already been accounted for then no further calculation is required. The submitter seeks amendments to (d), as it is vague and provides no certainty that if onsite stormwater management is provided to manage a 10-year storm that no financial contribution will be required. There is no reasoning for why some sites may require a 'reduced' contribution and others 'no' contribution for providing the same level of stormwater management. The following amendments are sought:</p> <p>1. As part of the District Council Financial Contribution Calculation Assessment for drinking water, wastewater and stormwater</p>	Support in part	Ryman supports the relief sought in this submission as it will prevent 'double dipping' with Council's Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.	Allow submission subject to the relief sought in Ryman's primary submission.	See reasoning under column 4.

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	<p>firstly an assessment shall be undertaken to following calculation methodology will be used:</p> <p>a. assess whether the upgrade, extension or new infrastructure required <u>has already been</u> accounted for in growth component allowed for in the Development Contributions policy. <u>If the upgrade, extension or new infrastructure required has already been allowed for in the Development Contributions policy then no further assessment is required.</u> <u>If the required upgrade, extension or new infrastructure has not been provided for in the Development Contributions policy then the following calculation methodology will be used:</u></p> <p>b. assess the increase in capacity of the upgrade, extension or new infrastructure required and only charge the proportion needed to service the proposed development;</p> <p>c. where required to be installed on Council land and agreed to by the Council, the 100% estimated cost of all materials, installation and commissioning of a water supply booster pump and associated infrastructure to maintain water pressure in any building three or more stories in height;</p> <p>d. and assess provision of on-site stormwater management, and if sufficient to manage a 10 year storm, <del>either no or a reduced</del> financial contribution will be required.</p>				
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<p>Mark Allan - on behalf of Bellgrove Rangiora Ltd</p> <p>66.12</p>	<p>The submitter seeks to amend FC-S3 to be more explicit that where Development Contributions Policy has already anticipated and provided for anticipated residential growth, no further calculation is required as follows:</p> <p>As part of the District Council Financial Contribution Calculation Assessment for roading <del>firstly an assessment shall be undertaken to following calculation methodology will be used:</del> assess whether the upgrade of extension to or new roading infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy. <u>If the upgrade, extension to or new roading infrastructure required has already been allowed for in the Development Contributions policy then no further assessment is required.</u></p> <p><u>If the required upgrade, extension to or new infrastructure has not been provided for in the Development Contributions policy then the following methodology will be used to calculate the contribution required by Council:</u></p> <p><del>a. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new roading infrastructure will be calculated by Council;</del> the percentage contribution required to be paid by the development will be calculated as follows:</p> <p><u>a. for the costs of upgrading or extending existing roading infrastructure the percentage contribution shall be based on vehicle movements per day generated by the development divided by vehicle movements per day of the development plus vehicle movements per day of any potential additional lots that could develop plus</u></p>	<p>Support in part.</p>	<p>Ryman supports in part the relief sought in this submission as it will prevent 'double dipping' with Council's Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.</p>	<p>Allow submission subject to the relief sought in Ryman's primary submission.</p>	<p>See reasoning under column 4.</p>
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	<p>average daily traffic: % contribution = vmpd development/ (vmpd development + vmpd potential new lots + current average daily traffic);</p> <p>b. <u>for the cost contribution associated</u> where new roads are required, the financial contribution will be based on a unit rate per kilometre of new road multiplied by the number of new lots divided by the existing lots plus proposed new lots; and</p> <p>c. where land is required to be vested for roading purposes, the area of land, the value of the land, and its proposed classification, shall be specified by Council.</p>				
Fire and Emergency NZ – Nola Smart 67.1	The submitter seeks to amend FC-S2 to clearly include for upgrades for the provision of sufficient supply and pressure for firefighting in line with Standards New Zealand Publicly Available Specification 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice, where the development does not have sufficient capacity and is not providing an alternative water supply.	Oppose.	Ryman opposes the relief sought in this submission as it is not a matter required to offset the environmental effects of residential intensification activities.	Disallow submission.	See reasoning under column 4.
Fire and Emergency NZ – Nola Smart 67.3	The submitter seeks to amend FC-S4 to include emergency vehicle access infrastructure upgrades required as a result of intensification.	Oppose.	Ryman opposes the relief sought in this submission as it is not a matter required to offset the environmental effects of residential intensification activities.	Disallow submission.	See reasoning under column 4.

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<p>Samuel Hammond on behalf of 199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd</p> <p>And</p> <p>Samuel Hammond on behalf of Eliot Sinclair and Partners Limited</p> <p>68.5 and 69.4</p>	<p>The submitters seek to amend FC-1 as it does not specify that the financial contribution calculation assessment will take account of previously made development contributions at the time of subdivision, housing or development as follows:</p> <ol style="list-style-type: none"> <li>1. The District Council will issue a Financial Contribution Calculation Assessment (which will be valid for three years from the date of issue) that specifies: <ol style="list-style-type: none"> <li>a. all reasonable costs incurred or to be incurred in providing the service, utility or facility (including but not limited to; any legal, survey, design, planning, engineering costs and disbursements);</li> <li>b. any reasonable costs to avoid, remedy or mitigate any effects on the environment from intensification, and subdivision;</li> <li>c. the value of and/or the costs of acquiring any or interest in any land required for the service, utility, facility or reserve;</li> <li>d. an allowance or adjustment for inflation;</li> <li>e. an allowance for the overhead costs of the Council and/or any costs associated with servicing Council expenditure in providing or upgrading a service or facility; and</li> <li>f. <u>The calculation and credit (if applicable) that takes account of payments made under the Council's Development Contributions Policy, and determines the offset value to be paid as a financial contribution (if any).</u></li> </ol> </li> </ol>	<p>Support in part.</p>	<p>Ryman supports in part the relief sought in the submissions as it will prevent 'double dipping' with Council's Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.</p>	<p>Allow submissions subject to the relief sought in Ryman's primary submission.</p>	<p>See reasoning under column 4.</p>
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Name of person making further submission: Ryman Healthcare Limited

<p>Samuel Hammond on behalf of 199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rentals Ltd and Allan Downs Ltd</p> <p>And</p> <p>Samuel Hammond on behalf of Eliot Sinclair and Partners Limited</p> <p>68.6 and 69.5</p>	<p>The submitters seek to amend FC-S4 to ensure the financial contribution is charged on the development (housing or subdivision stage) at the time of physical development when the actual effect can be quantified as follows:</p> <ol style="list-style-type: none"> <li>1. As part of the District Council Financial Contribution Calculation Assessment for roading the following calculation methodology will be used: <ol style="list-style-type: none"> <li>a. assess whether the upgrade of extension to or new roading infrastructure required is already accounted for in the growth component allowed for in the Development Contributions policy;</li> <li>b. if not provided for in the Development Contributions policy, the cost of the upgrade extension or new roading infrastructure will be calculated by Council;</li> <li>c. the percentage contribution required to be paid by the development will be calculated as follows: vehicle movements per day generated by the development divided by vehicle movements per day of the development <del>plus vehicle movements per day of any potential additional lots that could develop</del> plus average daily traffic: <math>\% \text{Roading financial contribution} = \frac{\text{vmpd development}}{(\text{vmpd development} + \text{vmpd potential new lots} + \text{current average daily traffic})}</math>;</li> <li>d. where new roads are required, the financial contribution will be based on a unit rate per kilometre of new road multiplied by the number of new lots divided by the existing lots plus proposed new lots; and</li> <li>e. where land is required to be vested for roading purposes, the area of land, the value of the land, and it's proposed classification,</li> </ol> </li> </ol>	<p>Support in part</p>	<p>Ryman supports the intention of the submissions to charge financial contributions on developments at the time where the actual effect can be quantified, but seeks a separate regime for retirement villages that takes into account their substantially lower demand profile compared to standard residential developments.</p>	<p>Allow submissions subject to the relief sought in Ryman's primary submission.</p>	<p>See reasoning under column 4.</p>
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	shall be specified by Council."				
Kāinga Ora - Homes and Communities – Mel Rountree 77.4	<p>The submitter seeks to amend FC-P1 to provide greater clarity and scope to consider wider sources of funding as follows:</p> <p>"Financial contributions are required where housing intensification, subdivision, and development or both have an adverse environmental effect on existing infrastructure, which requires capacity increases, upgrades or other modification to the infrastructure <del>ahead of the scheduled maintenance/replacement program, or outside the scope of scheduled maintenance/replacement programme where</del> such upgrades and costs are not otherwise addressed by Council's Development Contributions Policy or other funding sources available to the Council."</p>	Support in part	Ryman supports in part the relief sought in the submission as it will prevent 'double dipping' with Council's Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.	Allow submission subject to the relief sought in Ryman's primary submission.	See reasoning under column 4.
Kāinga Ora - Homes and Communities – Mel Rountree 77.6	<p>The submitter seeks to amend FC-R1 to apply to more than three residential units, on the basis that the MDRS permit up to 3 units per site and this level of development should be planned for by Council in terms of infrastructure requirements and funding, and financial contributions should be paid prior to the issue of a Code Compliance Certificate under the Building Act as follows:</p> <p>1. there are more than <del>two</del> <u>three</u> residential units per site;</p>	Support in part	Ryman supports in part the relief sought in the submission for the reasons given by the submitter, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.	Allow submission subject to the relief sought in Ryman's primary submission.	See reasoning under column 4.

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	<p>2. a financial contributions assessment has been completed in accordance with FC-S1; and</p> <p>3. all monies calculated under FC-S2 to FCS4 are paid, <u>prior to the issue of a Code Compliance Certificate under the Building Act 2004.</u>"</p> <p>Make consequential amendments as required to V1, including as a minimum, the deletion of all other infrastructure assessment matters applying to land use consent applications for more than 3 units.</p>				
<p>Kāinga Ora - Homes and Communities – Mel Rountree</p> <p>77-7</p>	<p>The submitter seeks to amend FC-R2 to apply to more than 3 residential units, on the basis that the MDRS permit up to 3 units per site and this level of development should be planned for by Council in terms of infrastructure requirements and funding, and financial contributions should be paid prior to the issue of a Code Compliance Certificate under the Building Act as follows:</p> <p>Activity status: PER Where:</p> <p>1. there are more than <del>two</del><u>three</u> allotments are created;</p> <p>2. a financial contributions assessment has been completed in accordance with FC-S1; and</p> <p>3. all monies calculated under FC-S2 to FCS4 are paid, <u>prior to the issue of a completion certificate under section 224c of the Resource Management Act 1991.</u></p> <p>Make consequential amendments as required to V1, including as a minimum, the deletion of all other infrastructure assessment matters applying to land use consent applications for more than 3 units.</p>	Support	Ryman supports in part the relief sought in the submission for the reasons given by the submitter.	Allow submission.	See reasoning under column 4.

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Kāinga Ora - Homes and Communities – Mel Rountree 77.19	<p>The submitter seeks amendments to the introductory section to clearly state that FC are required where the costs of development are not otherwise covered by development contributions or other funding sources available to the Council as follows:</p> <p>Financial contributions are collected by councils to address adverse effects of development that cannot be otherwise avoided, remedied or mitigated. Financial contributions can be used to cover the proportioned cost of the provision of infrastructure, such as upgrading or replacement of infrastructure to service higher capacity; and/or to offset adverse effects on the environment, <u>where such costs are not otherwise addressed by any other funding source available to the Council.</u></p>	Support in part	Ryman supports in part the relief sought in the submission as it will prevent ‘double-dipping’ with Council’s Development Contributions Policy, but seeks that the Financial Contributions chapter provides a retirement village-specific regime that takes into account their substantially lower demand profile compared to standard residential developments.	Allow submission subject to the relief sought in Ryman’s primary submission.	See reasoning under column 4.
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Name of person making further submission: Ryman Healthcare Limited

<b>This further submission is in relation to the <u>original submission</u> of:</b> <i>Enter the details of the original submitter:</i> <ul style="list-style-type: none"><li>• name, address or email; and</li><li>• submission number (and point(s), if applicable)</li></ul>	<b>The particular parts of the original submission I/we support /oppose are:</b>	<b>My/our position on the original submission is:</b> <i>Support or oppose</i>	<b>The reasons for my/our support/ opposition to the original submission are:</b>	<b>Allow or disallow the original submission (in full or in part)</b>	<b>Give precise details of why you wish to allow/disallow (in full or in part) to indicate the decision you want Council to make</b>

## Note

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the Waimakariri District Council. Contact details for all submitters can be found on the Waimakariri District Council website, at [waimakariri.govt.nz/planning/district-plan](https://waimakariri.govt.nz/planning/district-plan).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## Privacy Act 1993

Please note information on this form and the content of your submission will be made publicly available as part of the decision-making process.

This form is in the format required by Form 6 of the Resource Management (Forms, Fees and Procedure) Regulations 2003.

***Further submissions close on Monday, 21 November 2022 at 5pm.***

## Returning this form

You can:

- Email it to: [developmentplanning@wmk.govt.nz](mailto:developmentplanning@wmk.govt.nz) - Subject line: Further Submission
- Post it to: Waimakariri District Council, Private Bag 1005, Rangiora 7440
- Deliver it to a Council Service Centre in Rangiora, Kaiapoi or Oxford